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## New Jersey

June 21, 2022

### Via CM/ECF

Honorable Esther Salas  
U.S. District Court for the District of New Jersey  
Martin Luther King Courthouse, 50 Walnut St.  
Newark, NJ 07101

**Re: *Harry Pangemanan, et al. v. John Tsoukaris, et al.***  
**Civil Action No. 18-1510 (ES)**

Dear Judge Salas:

Per the Court's June 13, 2022 Letter Order, the Parties jointly submit this letter.

### Joint Statement of Parties

The Parties jointly state that, with respect to the four named Petitioners, the Motions to Reopen that they filed in 2018 have all been granted.

The Parties agree that this action should be dismissed without prejudice.

### Petitioners' Statement

In order to update the Court as to the status of the class members protected by the Court's February 2, 2018 class-wide Temporary Restraining Order (Dkt. No. 2), Petitioners hereby state the following:

A total of 30 Indonesian Christians, including the four named Petitioners, were subject to the class-wide stay of removal entered on February 2, 2018 (Dkt. No. 2). Availing themselves of the protection afforded by the stay of removal, 29 of the 30 class members filed Motions to Reopen their orders of removal with the following results:<sup>1</sup>

- 22 of the Motions to Reopen have been granted, including those of the named Petitioners. This success rate is consistent with the results for a similarly situated group of Indonesian Christians in New Hampshire where 43 Motions to Reopen were granted. (See Dkt. No. 42 at 6, 11.)
- 7 of the Motions to Reopen remain pending and have been so for well over three years as class members had filed them in late 2018/early 2019. In four of these cases, the Department of Homeland Security has not opposed reopening.

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<sup>1</sup> The 30th member of the putative class has sought alternate relief rather than pursuing a Motion to Reopen.

At this time, Defendants have not provided formal assurances that they will not seek to remove these seven individuals while their Motions to Reopen remain pending notwithstanding class members' prompt action. Given class members' uniform success in seeking reopening, should Defendants seek to remove them prior to final adjudication of their Motions to Reopen, Petitioners submit that dismissal of the current action would not preclude these individuals from seeking necessary relief at that time.

With respect to the immigration status of the named Petitioners, Harry Pangemanan and Mariyana Sunarto were granted asylum by the Newark Immigration Court on October 28, 2021. Gunawan Liem and Roby Sanger's immigration cases remain pending before the Immigration Court, with Mr. Gunawan's individual merits hearing currently scheduled for April 12, 2023.

Respectfully submitted,

/s/ Alexander Shalom

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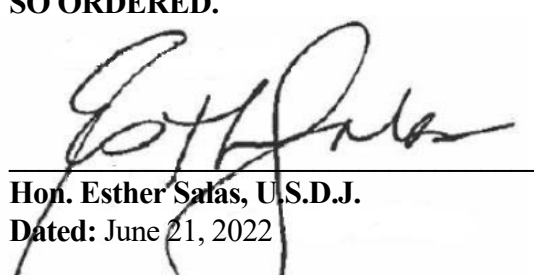
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*Counsel for Respondents*

This matter is **DISMISSED** *without prejudice*  
pursuant to Federal Rule of Civil Procedure 41(a)(1)  
(A)(ii). The Clerk of Court shall **CLOSE** this matter.  
**SO ORDERED.**

  
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Hon. Esther Salas, U.S.D.J.  
Dated: June 21, 2022